(ஆ) 1973-ம் சென்னை மாநகர் குடியிருப்புதாரர்கள் பாதுகாப்பு (திருத்தச் சட்டமுன் வடிவு.

THE HON. THIRU P. U. SHANMUGAM: Mr. Deputy Speaker, Sir, I beg to move that the Madras City Tenants' Protection (Amendment) Bill* 1973. (Legislative Assembly Bill No. 14 of 1973) be taken into consideration.

In 1972, it was represented to the Government that tenants who had invested l arge amounts in superstructures in lands taken on lease were denied the protection conferred by the Madras City Tenants' Protection Act, 1921 in view of the proviso to section 12 of that Act as it stood prior to the Madras City Tenants' Protection (Amendment) Act, 1972 (Tamil Nadu Act 4 of 1972) on the ground that they had entered into contract with the landlord to surrender both the buildings and the land on the expiry of the tenancy agreement.

The Government, after careful consideration of the representation, decided that the protection given by the Act should be enjoyed by all tenants, irrespective of the fact whether they had entered into an agreement with the landlords containing stipulations as to the erection of buildings constructed after the date of the contract and limiting the rights under the Act.

In order to relieve the hardship to tenants, the Government enacted the Madras City Tenants' Protection (Amendment) Act, 1972 (Tamil Nadu Act 4 of 1972), omitting the proviso to section 12 of the Madras City Tenants' Protection Act, 1921 (Tamil Nadu Act III of 1921) with retrospective effect.

The object underlying Tamil Nadu Act 4 of 1972 was to confer benefits on all the tenants who were in actual physical possession of the lands and buildings, notwithstanding any judgement, decree or order of any court holding that the tenant was not entitled to the benefits of the Act by reason of the proviso to section 12 of the principal Act. The position has been examined and it has been decided to amend the principal Act so as to confer the benefits of the Act on persons who were tenants under tenancy agreements to which the principal Act was applicable notwithstanding the fact that courts have passed decrees for

---

* Published in the *Tamil Nadu Government Gazette* Extraordinary, dated 3rd April 1973.

1973 ஏப்ரல் **5]** [Thiru P. U. Shanmugam]

declaration or for possession or for similar relief on the ground that the proviso to section 12 of the principal Act as it stood before the publication of Tamil Nadu Act 4 of 1972 disentitled them to the benefits under the Act. The Bill seeks to achieve the above object.

The Bill also seeks to give a right to such persons to make an application to the court within a period of two months of the publication of the proposed Act for claiming the benefits under the Act. Provision has also been made empowering the courts to reopen and review the proceedings relating to such decree or order, as if the proposed Act were in force at the time at which the decree or order was passed.

Sir, I commend the motion for the acceptance of the House.

மாண்புமிகு பேரவைத் துணைத் தலைவர் : *பேரவை முன்னுள்ள கேள்வி :*

"1973-ம் ஆண்டு சென்னை மாநகர், குடியிருப்புதாரர்கள் பாதுகாப்பு (திருத்த) சட்ட முன்வடிவு (சட்டப் பேரவை சட்ட முன்வடிவு எண். 14/73) ஆய்வுக்கு எடுத்துக்கொள்ளப்பட வேண்டும்."

தீர்மானம் பேரவையின் முடிவிற்கு விடப்பட்டு, நிறைவேற்றப் பட்டு சட்ட முன்வடிவு பிரிவு வாரியாக ஆய்வுக்கு எடுத்துக் கொள்ளப்பட்டது.

பிரிவுகள் 2, 3, 4 பேரவையின் முடிவிற்கு விடப்பட்டு, நிறைவேற்றப்பட்டன.

பிரிவு 1, முகப்புரை, நெடுந்தலைப்பு ஆகியவை பேரவையின் முடிவிற்கு விடப்பட்டு நிறைவேற்றப்பட்டன.

THE HON. THIRU P. U. SHANMUGAM : Sir, I move that "The Madras City Tenants' Protection (Amendment) Bill, 1973 (L.A. Bill No. 14 of 1973) be passed."

The motion was put and carried and the Bill was passed into law.

(7) அறிவிப்புகள் (தொடர்ச்சி)

(2) தமிழ் நாடு 1973-ம் ஆண்டு தனியார் மின்விசை வழங்கும் நிறுவனங்கள் (கையகப்படுத்துதல்) சட்ட முன்வடிவு (சட்டப்பேரவை சட்ட முன்வடிவு எண் 15/73)